

REMARKS

All the pending claims, that is claims 26-92, have been rejected under 35 U.S.C. § 102 as being unpatentable over MacDonald et al. (U.S. PG Pub No. 2004/0019558). Claims 58, 77 and 83 have been amended. Claims 93-103 have been added. No new matter has been added by way of these amendments and additional claims. Applicants respectfully request reconsideration in view of the above amendments and the following remarks.

Each of the rejected independent claims, that is claims 26, 65, 72, 78, 84, 89 and 91, require the use of electronic signatures to provide approval of electronic forms. For instance, claims 26, 65, and 78 each require “receiving an electronic signature indicating approval of the preliminary compiled at least one form electronic document.” Independent claim 72 requires “indicating approval with an electronic signature of a preliminarily compiled at least one form electronic document.” Similarly independent claim 84 requires “receiving an electronic signature indicating approval of the preliminarily compiled funds document.” Independent claim 89 requires “code to receive an electronic signature indicating approval of the preliminarily compiled at least one form electronic document.” Independent claim 91 requires “code to receive an indication of approval of said preliminarily compiled at least one form electronic document with an electronic signature.”

MacDonald et al. does not discuss the use of electronic signatures, let alone the use of such electronic signatures in order to provide approval of electronic forms. The disclosed system only teaches the printing out and explaining of the necessary forms to the buyer or borrower. The buyer or borrower then signs the printed out copies of the forms. (See 0076, 0106, 0137, 0167, 0197, 0218). Applicants respectfully submit that the disclosed system of manually signing hard copy documents that have been printed out fails to disclose receiving an electronic signature as approval of an electronic document or compiled funds document, as recited in independent claims 26, 64, 65, 72, 78, 84, 89 and 91.

Independent claims 26, 65, 78, and 84 each require “receiving a digitally scanned image of at least one ancillary document.” Independent claims 89 and 91 each require “code to receive a digitally scanned image of at least one ancillary document.” Independent claims 65 and 72 each require “inputting a digitally scanned image of at least one ancillary document.” Applicants respectfully submit that MacDonald et al. does not teach or suggest receiving or inputting a digitally scanned image of at least one ancillary document, as recited in independent claims 26, 64, 65, 72, 78, 84, 89 and 91.

Claims 58, 77 and 83 have been amended by deleting the requirement that the repository be a “governmental” repository. The claimed repository may include, *inter alia*, a government repository, an industry repository or a private repository. Applicants submit that no new matter has been introduced by these amendments.

New independent claims 93, 99, 100 and 103, and dependent claims thereof, have been added to claim the invention in different terms. The Applicants respectfully submit that no new matter has been added by the addition of these claims and that the claims are distinguishable over the cited art.

Applicants respectfully submit that independent claims 26, 64, 65, 72, 78, 84, 89, 91, 93, 99, 100 and 103 are distinguishable over the cited art, for at least the reasons discussed above, and therefore allowable. In addition, Applicants respectfully submit that the dependent claims which depend from these independent claims, directly or indirectly, are also allowable over the cited art for at least the same reasons and because of the further features they define.

CONCLUSION

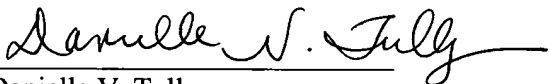
Based on the foregoing remarks, reconsideration and withdrawal of the rejection of claims 26-91 under §102 is respectfully requested. If the claims of this application, as amended, are not believed to be in full condition for allowance, the Applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting any necessary amendments to the claims in order that this application can be placed in allowable condition as soon as possible and without need for further proceedings.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment which may be required for this response to Deposit Account No. 13-4500. Order No. 4593-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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